

all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1, 2, 5 and 18-17 as obvious based on the combination of U.S. Patent No. 6,372,608 to Shimoda et al. and JP 04-124813 to Ogawa et al. The Applicants respectfully traverse the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims. Independent claims 1, 2 and 5 recite crystallizing a semiconductor film by irradiating the semiconductor film with overlapped beam spots of a first laser light and a second laser light to form a crystallized semiconductor film. In the present invention, the first beam spot and the second beam spot are emitted to a surface of the semiconductor film so as to overlap each other. Melting the surface by

the first laser makes it easier for the energy of the second laser light to be absorbed in the semiconductor film since the absorption coefficient is enhanced. Thereby, crystal grains grown continuously in the scanning direction are formed (see the present specification at page 17, line 21, through page 18, line 2, and Figures 3A and 3B).

The Official Action concedes that "Shimoda fails to teach the crystallizing is performed by irradiating using overlapped beam spots of a first laser light and a second laser light" (page 3, Paper No. 0509). Although not stated explicitly, the Official Action appears to assert that Ogawa cures the above-referenced deficiencies in Shimoda (pages 3-4, Id.). That is, the Official Action appears to take the position that Ogawa's continuous wave laser and pulsed laser render obvious the claimed overlapped beam spots of a first laser light and a second laser light. The Applicants respectfully disagree and traverse the above assertions in the Official Action.

Ogawa does not appear to teach overlapped beam spots of a first laser light and a second laser light. Rather, Ogawa appears to teach irradiating a continuous wave laser and a pulse laser in separate steps. Therefore, Shimoda and Ogawa, either alone or in combination, do not teach or suggest crystallizing a semiconductor film by irradiating the semiconductor film with overlapped beam spots of a first laser light and a second laser light to form a crystallized semiconductor film.

Since Shimoda and Ogawa do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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